



U.S. DEPARTMENT of STATE

Tanzania

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The Constitution provides for freedom of religion; however, there were some limits on freedom of religion.

There was no change in the status of respect for religious freedom during the period covered by this report. Some urban Muslim groups are sensitive to perceived discrimination in government hiring and law enforcement practices. Muslims continued to perceive government discrimination in favor of Christians in schools, the workplace, and places of worship.

There are generally amicable relations among religions in society; however, some tension persisted between Muslims and Christians and between secular and fundamentalist Muslims. In addition, on Zanzibar, some Muslims remain concerned that the 2001 Mufti Law, which allowed the Zanzibari government to appoint a mufti to oversee Muslim organizations, authorizes undue government control of religious affairs. During the reporting period, the Zanzibar government formed a Review Committee to open discussion on the revision of the Mufti Law

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 364,900 square miles, and its population is approximately 36 million, of which approximately 35 million live on the mainland and 1 million in the Zanzibar archipelago. Current statistics on religious demography are unavailable, as religious surveys were eliminated from all government census reports after 1967. However, religious leaders and sociologists generally believe that the country's population is 30 to 40 percent Christian and 30 to 40 percent Muslim, with the remainder consisting of practitioners of other faiths, traditional indigenous religions, and atheists. Zanzibar, which accounts for 2.7 percent of the country's population, is estimated to be 99 percent Muslim. A semi-autonomous archipelago, Zanzibar elects its own president to serve as the head of government for matters internal to Zanzibar, and a parliament that can approve legislation pertaining to local affairs. The Muslim population is most heavily concentrated on the Zanzibar archipelago and in the coastal areas of the mainland. There are also large Muslim minorities in inland urban areas. Between 80 and 90 percent of the country's Muslim population is Sunni; the remainder consists of several Shi'a groups, mostly of Asian descent. The Christian population is composed of Roman Catholics, Protestants, Pentecostals, Seventh-day Adventists, members of the Church of Jesus Christ of Latter-day Saints (Mormons), and members of Jehovah's Witnesses.

Foreign missionaries operate in the country, including Catholic, Lutheran, Baptist, Seventh-day Adventist, Mormon, Anglican, and Muslim.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion; however, there were some limits on freedom of religion. The Constitution does not establish any official state religion.

The 2001 Mufti Law authorizes the President of Zanzibar to appoint an Islamic leader, or mufti. The mufti serves as a public employee of the Zanzibar Government. The mufti possesses the authority to settle all religious disputes involving Muslims, to approve any Islamic activities or gatherings on Zanzibar, to supervise all Zanzibari mosques, and to approve religious lectures by foreign clergy or the importation of Islamic literature from outside Zanzibar. The Mufti Law is controversial, because some Muslim groups believe it gives the Zanzibar Government undue influence in religious affairs. In response, the Zanzibari Ministry of Good Governance established a Review Committee to consider possible revisions to the Mufti Law. The Committee has sought input from various Muslim nongovernment organizations (NGOs), including some that have objected to the Mufti Law. In a departure from previous policy, the Office of the Mufti has also quietly engaged in a dialogue with Saudi-line Muslim groups,

such as the NGO Uamsho.

On the mainland, mosques belonging to the National Muslim Council of Tanzania (BAKWATA) elect a mufti of their own. BAKWATA serves as an NGO, and the mainland mufti is not a public employee; however, when it was first established in 1968, BAKWATA was widely considered to be an unofficial arm of the ruling party Chama Cha Mapinduzi (CCM). To date, public opinion still associates BAKWATA with the ruling CCM party. During the reporting period, several Muslim organizations continued to criticize both Zanzibar's Mufti Law and the mainland's practice of selecting a mufti through BAKWATA, perceiving them as efforts by the union Government to institutionalize government oversight of Islamic organizations. In the first months of 2005, a loosely organized consortium, consisting of approximately thirty clerics from several Dar es Salaam mosques, publicly called for the BAKWATA mufti to resign and organized demonstrations against him. The BAKWATA leadership countered that these clerics had no authority under the BAKWATA rules to demand the mufti's resignation. Many Muslim leaders, noting that there are no parallel structures for Christians, criticize the Government for disparate treatment of the country's different religious communities.

Muslim groups have also been vocal in their opposition to the 2002 Prevention of Terrorism Act. This legislation does not mention any religious or ideological group; however, Muslim clerics, some local media, and a local human rights NGO have criticized the broadly defined powers it gives police to conduct searches, arrests, and detentions and to determine who is a terrorist. Some of the law's critics expressed fears that the legislation would be used to silence or intimidate the Muslim community. More than 2 years after the law's approval, the authorities have never arrested suspects, seized property, or applied any other sanctions under the Prevention of Terrorism Act, and public debate about the law began to fade.

The Government requires that religious organizations provide information to the Registrar of Societies at the Home Affairs Ministry. To register, religious organizations must have at least 10 followers and must provide a constitution, the resumes of their leaders, and a letter of recommendation from their district commissioner. Some Muslim groups claim that they still are required to submit a letter of recommendation from BAKWATA. There were no reports that the Government refused the registration of any group.

The law requires all NGOs, including those that are religiously affiliated, to register with the Ministry of Home Affairs. The NGO law does not impose any new obligations on the parent organizations of religiously affiliated NGOs. On Zanzibar, the mufti has the authority to approve or deny the registration of Islamic societies under the 2001 Mufti Law.

Legitimate religious groups may import goods internationally without paying duty, provided that they receive an exemption certificate from the Revenue Authority.

Customary and statutory law governs Christians in both criminal and civil cases. Muslims are also governed by customary and statutory law in criminal cases; however, in civil cases involving family matters such as marriage, divorce, child custody and inheritance, Islamic law is applied if both parties are Muslims. Zanzibar's court system generally parallels the mainland's legal system, and all cases tried in Zanzibari courts, except those involving constitutional issues and Islamic law, can be appealed to the Court of Appeals of the Union. In addition, whereas the majority of judges on Zanzibar are Muslim, there are very few Muslim judges, if any, on the mainland; consequently, some Muslim groups have complained that it is inappropriate for Christian judges on the mainland to continue administering Islamic law for Muslims in civil cases involving family matters. There was occasional debate about the establishment of Shari'a law in Zanzibar, but the number of advocates remained small.

Religious organizations occasionally appeal to the secular civil authorities for assistance in resolving quasi-religious disputes over the ownership of mosques and churches, or the leadership of the organization. During the reporting period, the Tanzanian Lutheran Confederation (KKT) replaced its Secretary General. The deposed Secretary General brought a lawsuit seeking his reinstatement. In the meantime, his replacement required a police escort to take possession of his offices.

Missionaries are permitted to enter the country freely, particularly if proselytizing is ancillary to other religious activities. Citizens are permitted to leave the country for pilgrimages and other religious practices.

The Government officially recognizes eight religious holidays; this includes 2 days for Christmas, 2 days for Easter, 2 days for the Muslim holiday of Eid al-Fitr, 1 day for the Muslim holiday of Eid al-Hajj, and 1 day for the Prophet Muhammed's birthday.

Religion may be taught in public schools in the form of a class on religion, but it is not part of the national curriculum. Such classes are generally taught on an ad hoc basis by parents or other volunteers but must be approved by the school's administration and/or parent and teacher association.

In 2004, at a Dar es Salaam fundraising ceremony for the establishment of a Muslim university in Morogoro, President Benjamin Mkapa transferred government-owned office buildings to the Muslim Development Foundation (MDF), a private group of investors planning to convert the buildings into the country's first Muslim University of Tanzania. As of the end of the reporting period, the university had not yet begun to operate.

The Government made some efforts to resolve the growing tensions between Muslim and Christian communities. President Mkapa regularly participates in Muslim celebrations such as Iftars during Ramadan. In April, Minister of Cooperatives and Marketing George Kahama represented the Government at the Pope's funeral. Government officials frequently participated in

interdenominational events sponsored by NGOs. In January, Justice Minister Mwapachu opened a seminar for religious leaders sponsored by the United Nations Development Program (UNDP) and a local NGO; the Justice Minister told the participants that the government was preparing a White Paper on the best way to organize religious supervising bodies such as the Khadis Court. In March, former President Ali Hassan Mwinyi participated in an interdenominational civic education seminar sponsored by the Global Network for Religions and Children and the U.S. Embassy.

Restrictions on Religious Freedom

The law prohibits preaching or distribution of materials that are considered inflammatory and that represent a threat to the public order. Government officials occasionally deny permits for religious organization to hold public gatherings if they believe that the gathering could become confrontational or inflame religious tension. In May 2005, district authorities in Mbeya denied a permit to the Salvation Pentecost of Tanzania International, claiming that the group's recent evangelical public meetings had turned into abusive campaigns against Islam.

The Government has banned religious organizations from involvement in politics, and politicians are banned from using language intended to incite one religious group against another or to encourage religious groups to vote for certain political parties. The law imposes fines and jail time on political parties that campaign in houses of worship or educational facilities. Since general elections were scheduled for October 2005, this has become particularly pertinent. However, none of these sanctions were imposed during the reporting period.

In 2004, Zanzibari police arrested Islamic activist Sheikh Kurwa Shauri; no charges were reportedly filed, but following the arrest, the Government of Zanzibar forced him to return to Dar es Salaam. Shauri was reportedly deported under a 1993 Zanzibar government order after he was accused of disrupting the peace and fomenting interreligious conflict. There have been no further developments in this case.

On Zanzibar, the 2001 Mufti Act gives the mufti the authority to determine the date of major religious observances. The Saudi-oriented Answar Sunni group has been involved in a long-running dispute with the Zanzibar government over which Muslim leaders had the authority to set annual religious observances. In past years, Zanzibari police have broken up public gatherings of Answar Sunni and arrested the participants because they were observing Muslim holidays on the "wrong" day. In November 2004, however, Answar Sunni publicly observed Eid al-Fitr on a day other than that designated by the mufti, and did so without incident and without interference.

The Government does not designate religion on passports or records of vital statistics; however, it requires an individual's religion to be stated on police reports, school registration forms, and applications for medical care. The Government reportedly requires individuals to indicate their religion in police reports in case the individuals are later asked to give sworn testimony, for which the individuals would need to swear in court according to their religion. The Government requires children to indicate their religion on school registration forms because some schools offer religious classes that children attend according to their faith.

Government policy forbids discrimination against individuals on the basis of religious beliefs or practices; however, individual government and business officials are alleged to favor persons who share the same religion in the conduct of business. The Muslim community claims to be disadvantaged in terms of its representation in the civil service, government, and parastatal institutions, in part because both colonial and early post-independence administrations refused to recognize the credentials of traditional Muslim schools. As a result, there is broad Muslim resentment of certain advantages that Christians are perceived to enjoy in employment and educational opportunities. Muslim leaders have complained that the number of Muslim students invited to enroll in government-run schools still is not equal to the number of Christians. In turn, Christian leaders agree that the Muslim student population in institutions of higher learning is disproportionately low; however, they blame this condition on historical circumstances and low school attendance rates by Muslims rather than discrimination.

Christians have sometimes criticized what they perceive as lingering effects of undue favoritism accorded to Muslims in appointments, jobs, and scholarships by former President Ali Hassan Mwinyi, a Muslim. On May 4, the ruling party nominated a Muslim, Foreign Minister Jakaye Kikwete, to succeed President Mkapa, who is Catholic. To date, however, perceived religious favoritism has not been a campaign issue, and there has been little public discussion of balancing government benefits among the country's many religious communities.

On the mainland, the mufti of BAKWATA called publicly in January for Muslim parents to educate their daughters, and not to give them away in early marriages. The overall situation for women is less favorable in Zanzibar than on the mainland. Although women generally are not discouraged from seeking employment outside the home, women on Zanzibar and many parts of the mainland face discriminatory restrictions on inheritance and ownership of property because of concessions by the Government and courts to customary and Islamic law. While provisions of the Marriage Act provide for certain inheritance and property rights for women residing on the mainland, the Marriage Act is not applicable in Zanzibar. Furthermore, the applicability of customary, Islamic, and statutory law on the mainland and Zanzibar depends on whether the deceased was part of a community where the customary law is widely accepted and applied and on the stated intentions of the male head of household. However, determining the intentions of the male head of household is often difficult because the majority of the country's male population does not draw last wills and testaments, as they perceive wills as invitations for bad fortune. Courts on the mainland and Zanzibar have upheld discriminatory inheritance claims, primarily in rural areas. In 2004, a government task force was created to examine possible reforms concerning women's inheritance rights. The task force gathered input from widows and conducted a media campaign to raise public awareness of inheritance as it relates to poverty and human rights.

Under a Zanzibari law popularly known as the "spinster act," unmarried Muslim women under the age of 21 who become pregnant are subject to 2 years' imprisonment, and a man found guilty of making a woman who is not his wife pregnant can be imprisoned for 5 years. In the past, Zanzibari women have successfully had these convictions dropped or overturned in the Zanzibari courts. No men have been tried under this law.

Abuses of Religious Freedom

In March 2004, Zanzibari police used tear gas to disperse a demonstration by Uamsho, an umbrella organization for fundamentalist Muslim organizations on Zanzibar. The group does not recognize Zanzibar's Mufti Law and therefore had refused to seek a permit from the mufti's office as required. Seven demonstrators suffered minor injuries when the police broke up the demonstration. Thirty-two demonstrators were arrested. Two Uamsho leaders were initially charged and released on bail; later all charges were dropped.

Also during March 2004, police arrested several members of Uamsho after a series of small explosions and fire bombings damaged properties in and near Stonetown. Police arrested 45 persons for these attacks. Some were charged and released on bail; others were released without charge. There have been no further developments, and Uamsho reports that no cases are pending against their members in connection with these incidents.

In September 2003, the paramilitary Field Force Unit (FFU) used tear gas and batons to forcibly disperse a meeting of 62 Muslims who had gathered for a religious event in Mwanza. Both the Muslim group and a Pentecostal Christian group had obtained permits for the same dates and the same venue. A confrontation between the two groups followed when the Muslim group began "comparative preaching," or claiming that Muslim religious texts proved superior to Christian texts. Police arrested six Muslims for civil unrest, inciting a disturbance, and hindering police from performing their duties. By March 2004, the Government had dropped all charges, and all were released.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Section III. Societal Attitudes

While Muslim-Christian relations remained generally stable in rural areas, tensions persist in urban centers due to claims by some Muslim or Christian groups that the Government favors the other community in its hiring and law enforcement practices. Since the country is scheduled to hold elections in October 2005, considerable attention has focused on the affiliation of the next president. The country's first three Presidents have alternated between Christian mainlanders and a Zanzibari Muslim. This informal arrangement apparently came to an end on May 4, when the ruling CCM party nominated a Muslim mainlander, Jakaya Kikwete. Before Kikwete's nomination, a group of imams had said that Muslim leaders would advise Muslims about the CCM's nominee to ensure that the party's choice upheld religious tolerance and was not corrupt. The imams denied that they would insist that the candidate be Muslim; to date, they have not commented on the choice of Kikwete.

Tension also persisted between moderate Muslims and Muslim fundamentalists, as the latter believed that the former had joined with the Government for monetary and other benefits. Some fundamentalists criticize moderate Muslim organizations, such as BAKWATA, for reaching out to other religions. Fundamentalists demonstrated peacefully against the BAKWATA mufti but did not succeed in removing him.

Many interdenominational initiatives exist at national and community levels without formal government participation. During the reporting period, the press reported that contributions from Christian groups helped with the construction of a mosque in Muheza; elsewhere, Muslim leaders contributed funds to the building of a Lutheran church. From February 21 to 23, BAKWATA hosted an international meeting for countries that have observer status in the Organization of Islamic Countries; topics covered including "International Peace and Development" and "the Role of Islam in Facilitating Dialogue between Religions and Societies." A fundamentalist newspaper editorialized against the conciliatory themes, saying that outreach to other religions represented an "American agenda" rather than traditional Muslim interests.

Religion has not served as a primary fault-line for sustained political violence and conflict; however, societal violence based on religion occasionally occurs. In recent years, some religious institutions on Zanzibar have been attacked; for example, unknown perpetrators desecrated a church on Zanzibar's Pemba Island in May 2004, and the mufti's house and a vehicle belonging to a church were targeted in the series of fire bombings that rocked Stonetown in March 2004.

An interdenominational religious council continued to meet periodically to discuss issues of mutual concern. The council is composed of Catholic, Protestant, and Muslim representatives. The Muslim representative belongs to the BAKWATA. Christian and Muslim groups meet on an ad hoc basis. This interdenominational council last met on May 10 in Tanga, where the council issued a five-point statement urging religious and political leaders to behave ethically and to take concrete steps to promote social peace during the upcoming election campaign.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Government encourages continued economic reform as a means to alleviate poverty, which has been identified as a contributing factor in the growth of religious intolerance. During the period covered by this report, U.S. Embassy officials encouraged dialogue among religious groups on Zanzibar.

In 2005, the Embassy sponsored a series of civic education seminars for Christian and Muslim clergy and for young persons who were active in their churches and mosques. The seminars, which were conducted by the interdenominational Global Network for Religions and Children, brought together religious activists from throughout Dar es Salaam for discussions on the peaceful and democratic conduct of the upcoming elections. Also, the editors of leading Muslim and Christian newspapers participated in an International Visitor Program on multi-culturalism.

The Embassy also sent two key contacts to the United States on an International Visitor program entitled "Multi-Culturalism in U.S. Society," which exposed the participants to issues of religious freedom and tolerance. One of the persons is an editor for one of the largest Kiswahili daily newspapers whose readership is predominantly Muslim. The other is the secretary general of a large Christian organization that publishes a daily newspaper and has its own radio station.

Embassy representatives have made a concerted effort to extend their contacts and encourage dialogue among a wide range of religious leaders. Outreach to the Muslim community has also been enhanced by annual Ifars during Ramadan, hosted by the Charge d'Affaires in Dar es Salaam and Zanzibar, and a series of English language teaching workshops in Zanzibar and the southern region of Mtwara.

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